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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DILLON & YUDELL LLP
8911 N. CAPITAL OF TEXAS HWY.,
SUITE 2110
AUSTIN, TX 78759

EXAMINER
STORK, KYLE R

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/943,945	CHAKMAKIAN, DAVID MATTHEW
	Examiner	Art Unit
	Kyle R. Stork	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 December 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5-8,12-15 and 19-29* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5-8,12-15 and 19-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This final office action is in response to the remarks filed 9 December 2005.

2.   Claims 1, 5-8, 12-15, and 19-29 are pending. Claims 1, 8, and 15 are

independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim1, 5-8, 12-15, and 19-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nogami et al. (US 4962452 file 23 August 1989, herein Nogami) and

further in view of Okuno et al. (US 6438566, filed 21 October 1996, herein Okuno).

Regarding independent claim 1, Nogami discloses a method for preparing

reviewable translations of comment text contained within a data processing system

instruction data structure that further includes program code items (column 6, line 37-

column 7, line 35; Abstract, lines 1-20, this is the purpose of Nogami's invention; Nogami

can handle arbitrary languages, which encompasses program code), comprising:

identifying one or more comment text items within a data processing system instruction

data structure(see column 6, line 37- column 7, line 35; line 6, Abstract); copying each

of the one or more comment text items from the data processing system instruction data

structure to a comment text data structure in which the copied comment text items are

isolated from the program code items; (see column 6, line 37- column 7, line 35; line 6, Abstract; a data structure is inherent to this process); translating each of the one or more comment text items within the comment text data structure into a corresponding one or more translated text items (see column 6, line 37- column 7, line 35; lines 10-15, Abstract, the processing would inherently occur in such a manner); combining each of the one or more translated text items and each of the one or more comment text items within a combined text data structure(see column 6, line 37- column 7, line 35; lines 10-15, Abstract, the data structure would be inherent); and arranging each of the one or more translated comment text items within the combined text data structure in logical proximity to a corresponding comment text item, from which corresponding comment text item the translated text item was translated(see column 6, line 37- column 7, line 35; lines 15-20, Abstract, the comments are reinserted and marked).

Nogami does not specifically disclose a separate comment text data structure storing comments. However, Okuno discloses a comment text data structure storing comment data (claim 53, column 57, line 63- column 8, line 20).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Nogami's method with Okuno, since it would have allowed a user to efficiently transfer data from one version of a document to another version (Okuno: column 2, lines 39-44).

Regarding dependent claim 5, Nogami discloses that the combining step further is followed by modifying the one or more translated text items in the combined text data structure responsive to user input (in the Abstract, lines 10-15, the translated text items

are changed into a translated version, and in col. 2, lines 35-45, they are marked up, in Figure 4, the user's input affects the translation).

Regarding dependent claim 6, Nogami discloses that the combining step further comprises modifying the one or more translated text items in the translated text data structure to match the one or more translated text items in the combined text data structure (in the Abstract, lines 10-15, the translated text items are changed into a translated version, and in col. 2, lines 35-45, they are marked up).

Regarding dependent claim 7, Nogami discloses that the data processing system instruction data structure is a source code file of machine-readable instructions on a machine-readable medium (Line 1 of the Abstract, it is a machine translation system, which inherently must operate based on such a file).

Regarding independent claim 8, it is a system that is analogous to claim 1 and is rejected in an identical manner.

Regarding dependent claim 12, it is a system that is analogous to claim 5 and is rejected in an identical manner.

Regarding dependent claim 13, it is a system that is analogous to claim 6 and is rejected in an identical manner.

Regarding dependent claim 14, it is a system that is analogous to claim 7 and is rejected in an identical manner.

Regarding independent claim 15, it is a computer-readable medium that is analogous to claim 1 and is rejected in an identical manner.

Regarding dependent claim 19, it is a computer-readable medium that is analogous to claim 5 and is rejected in an identical manner.

Regarding dependent claim 20, it is a computer-readable medium that is analogous to claim 6 and is rejected in an identical manner.

Regarding dependent claim 21, it is a computer-readable medium that is analogous to claim 7 and is rejected in an identical manner.

Regarding dependent claim 22, Nogami discloses that the translating step is followed by combining the one or more translated text items within a translated text data structure. (See Abstract, lines 10-25, the sentences which are translated are stored and processed together, which implies a data structure.)

Regarding dependent claim 23, Nogami discloses that said identifying step comprises distinguishing between the comment text items and the program code items with the data processing system instruction data set. (Such distinguishing would be inherent and necessary in order to successfully determine what is to be translated and what is not.)

Regarding dependent claim 24, Nogami disclose displaying each of the one or more translated text items within the combined text data structure in spatial proximity to a corresponding comment text item, from which corresponding comment text item the translated item was translated (Fig. 3 shows a display which displays the pairs of items and translations pairwise.)

Regarding dependent claim 25, it is a system that is analogous to claim 22 and is rejected in an identical manner.

Regarding dependent claim 26, it is a system that is analogous to claim 23 and is

rejected in an identical manner.

Regarding dependent claim 27, it is a system that is analogous to claim 24 and is

rejected in an identical manner.

Regarding dependent claim 28, it is a computer-readable medium that is

analogous to claim 22 and is rejected in an identical manner.

Regarding dependent claim 29, it is a computer-readable medium that is

analogous to claim 23 and is rejected in an identical manner.

Response to Arguments

5.   Applicant's arguments filed 9 December 2005 have been fully considered but

they are not persuasive.

The applicant argues that Nogami fails to discloses "combining each of the one or

more translated text items and each of the one or more comment text items <u>from the</u>

<u>comment text data structure</u> within a combined text data structure (page 4)." However,

the examiner respectfully disagrees. Nogami discloses both an "original displaying zone"

and "translation displaying zone" (Figure 3). The original displaying zone includes the

original text is displayed (column 3, lines 45-53). Logically, the translation is displayed

within the translation display zone. Nogami further discloses combining each of the one

or more translated text items and each of the one or more comment text items within a

combined text data structure (column 6, line 37- column 7, line 35). Here, the comment

is extracted from the original text display. Further, the comment is inserted into the

translation portion (column 7, lines 8-20).

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-

4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork
Patent Examiner
Art Unit 2178

krs

CESAR PAULA
PRIMARY EXAMINER